

From: [Rebecca Cokley <rcokley@ncd.gov>](mailto:rcokley@ncd.gov)  
To: [Lisa Brown-Gilmore - CPWA](#)  
Date: 10/30/2013 8:39:46 AM  
Subject: one other option

---

(b) (5)

What do you think?

Rebecca

Sent from my iPad

From: [Rebecca Cokley <rcokley@ncd.gov>](mailto:rcokley@ncd.gov)  
To: [Sylvia Jones](#)  
Date: 10/17/2013 7:42:30 PM  
Subject: laptop

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Ms. Jones

I am requesting you supply me with an NCD laptop for my use while teleworking. Please let me know if you have any questions.

Rebecca

Sent from my iPad

From: [Rebecca Cokley <rcokley@ncd.gov>](mailto:rcokley@ncd.gov)  
To: [Lisa Brown-Gilmore - CPWA](#)  
Date: 11/27/2013 10:46:52 AM  
Subject: RE: FW: Post Employment Ethics Letter

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I have NO clue

Rebecca Cokley  
Executive Director  
National Council on Disability  
1331 F Street NW, Suite 850  
Washington, DC 20004  
202-272-2124 Voice  
202-272-2074 TTY  
202-272-2022 Fax  
[Rcokley@ncd.gov](mailto:Rcokley@ncd.gov)  
Website: <http://www.ncd.gov>

**From:** Lisa Brown-Gilmore - CPWA [mailto:[lisa.gilmore@gsa.gov](mailto:lisa.gilmore@gsa.gov)]  
**Sent:** Wednesday, November 27, 2013 9:46 AM  
**To:** Rebecca Cokley  
**Subject:** Re: FW: Post Employment Ethics Letter

Rebecca, do you know what the post employment letter stated?

(b) (5)

On Tue, Nov 26, 2013 at 4:33 PM, Rebecca Cokley <[rcokley@ncd.gov](mailto:rcokley@ncd.gov)> wrote:  
Are you in tomorrow? I want to pick your brain on this.

Rebecca Cokley  
Executive Director  
National Council on Disability  
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[Rcokley@ncd.gov](mailto:Rcokley@ncd.gov)  
Website: <http://www.ncd.gov>

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**From:** Robyn Powell  
**Sent:** Friday, November 22, 2013 8:47 AM  
**To:** Rebecca Cokley  
**Subject:** RE: Post Employment Ethics Letter

How do you want to proceed?

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**From:** [jdurocher1@att.blackberry.net](mailto:jdurocher1@att.blackberry.net) [<mailto:jdurocher1@att.blackberry.net>]  
**Sent:** Thursday, November 21, 2013 4:19 PM  
**To:** Rebecca Cokley; Robyn Powell  
**Subject:** Re: Post Employment Ethics Letter

I would look in Aaron's old files to find the letter he gave to (b) (6) ...GSA assisted in drafting it.

Sent via BlackBerry by AT&T

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**From:** Rebecca Cokley <[rcokley@ncd.gov](mailto:rcokley@ncd.gov)>  
**Date:** Thu, 21 Nov 2013 21:13:30 +0000  
**To:** Robyn Powell<[RPowell@ncd.gov](mailto:RPowell@ncd.gov)>  
**Cc:** [jdurocher1@att.blackberry.net](mailto:jdurocher1@att.blackberry.net)<[jdurocher1@att.blackberry.net](mailto:jdurocher1@att.blackberry.net)>  
**Subject:** Re: Post Employment Ethics Letter

I've never heard of this. Joan?

Rebecca

Sent from my iPhone

On Nov 21, 2013, at 3:45 PM, "Robyn Powell" <[RPowell@ncd.gov](mailto:RPowell@ncd.gov)> wrote:

Please see below.

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**From:** Sylvia Jones  
**Sent:** Thursday, November 21, 2013 3:30 PM  
**To:** Robyn Powell  
**Cc:** Sylvia Jones  
**Subject:** Post Employment Ethics Letter

Robyn,

Does NCD have a post employment ethics letter that we give to employees when they depart the agency? If so, please explain how it is administered and/or disseminated to former employees.

Sylvia

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No virus found in this message.

Checked by AVG - [www.avg.com](http://www.avg.com)

Version: 2012.0.2242 / Virus Database: 3629/6351 - Release Date: 11/20/13

From: [Rebecca Cokley <rcokley@ncd.gov>](mailto:Rebecca.Cokley@ncd.gov)  
To: [Lisa Brown-Gilmore - CPWA](#)  
Date: 12/19/2013 4:35:50 PM  
Subject: RE: Update

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What do I put in the remarks (section F) part of the SF-52?

Rebecca Cokley  
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[Rcokley@ncd.gov](mailto:Rcokley@ncd.gov)  
Website: <http://www.ncd.gov>

**From:** Lisa Brown-Gilmore - CPWA [mailto:[lisa.gilmore@gsa.gov](mailto:lisa.gilmore@gsa.gov)]  
**Sent:** Thursday, December 19, 2013 9:14 AM  
**To:** Rebecca Cokley  
**Subject:** Re: Update

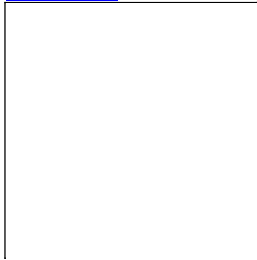
and the 52's should be signed.

On Thu, Dec 19, 2013 at 9:05 AM, Lisa Brown-Gilmore - CPWA <[lisa.gilmore@gsa.gov](mailto:lisa.gilmore@gsa.gov)> wrote:  
Hi Becca,

Jeff can issue the decision tomorrow. Is that her last day for the year? Also I need a return to duty 52. Thanks

—

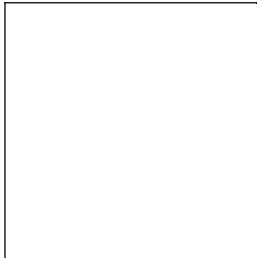
**Lisa Gilmore**  
**Human Resources Specialist (Employee Relations)**  
**Washington Area Operations Center**  
**Employee Relations Branch-CPWA**  
**301 7th Street, S.W., Room 1022**  
**Washington, DC 20407**  
**202-205-4929 Desk**  
**202-(b) (6) Mobile Phone**  
**[202-708-5377](tel:202-708-5377) fax**



[https://docs.google.com/a/gsa.gov/forms/d/1nhjCN6mQLHds76fKF2MsLylHchZpKL7e\\_LIZjNJlr0/viewform](https://docs.google.com/a/gsa.gov/forms/d/1nhjCN6mQLHds76fKF2MsLylHchZpKL7e_LIZjNJlr0/viewform)

—

**Lisa Gilmore**  
**Human Resources Specialist (Employee Relations)**  
**Washington Area Operations Center**  
**Employee Relations Branch-CPWA**  
**301 7th Street, S.W., Room 1022**  
**Washington, DC 20407**  
**202-205-4929 Desk**  
**202-(b) (6) Mobile Phone**  
**[202-708-5377](tel:202-708-5377) fax**



[https://docs.google.com/a/gsa.gov/forms/d/1nhjCN6mQLHds76fKF2MsLylHchZpKL7e\\_LIZjNJlr0/viewform](https://docs.google.com/a/gsa.gov/forms/d/1nhjCN6mQLHds76fKF2MsLylHchZpKL7e_LIZjNJlr0/viewform)

No virus found in this message.  
Checked by AVG - [www.avg.com](http://www.avg.com)  
Version: 2012.0.2247 / Virus Database: 3658/6434 - Release Date: 12/19/13

From: [Rebecca Cokley <rcokley@ncd.gov>](mailto:Rcokley@ncd.gov)  
To: [Lisa Brown-Gilmore - CPWA \(lisa.gilmore@gsa.gov\)](mailto:lisa.gilmore@gsa.gov)  
Date: 12/5/2013 12:37:16 PM  
Subject: FW: Julie's Metro Subsidy

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AAAAAAACK!

Now to find the needle in the haystack. Oh joy!

Rebecca Cokley  
Executive Director  
National Council on Disability  
1331 F Street NW, Suite 850  
Washington, DC 20004  
202-272-2124 Voice  
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[Rcokley@ncd.gov](mailto:Rcokley@ncd.gov)  
Website: <http://www.ncd.gov>

---

**From:** Sylvia Jones  
**Sent:** Thursday, December 05, 2013 11:36 AM  
**To:** Rebecca Cokley  
**Cc:** Sylvia Jones  
**Subject:** RE: Julie's Metro Subsidy

Rebecca,

GSA is not responsible for nor provide metro subsidy services to NCD. This is a responsibility of the Administrative Assistant and/or Financial Analyst which you supervise. The contract financial analyst must contact WMATA to correct.

Sylvia

---

**From:** Rebecca Cokley  
**Sent:** Thursday, December 5, 2013 10:23 AM  
**To:** Sylvia Jones  
**Subject:** Julie's Metro Subsidy

Mrs. Jones,

Please reach out to GSA by COB tomorrow and cancel Julie's metro subsidy.

Thank you.

Rebecca Cokley  
Executive Director  
National Council on Disability  
1331 F Street NW, Suite 850  
Washington, DC 20004  
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Website: <http://www.ncd.gov>

---

No virus found in this message.

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Version: 2012.0.2242 / Virus Database: 3658/6393 - Release Date: 12/05/13

From: [Rebecca Cokley <rcokley@ncd.gov>](mailto:Rebecca.Cokley@ncd.gov)  
To: [Lisa Brown-Gilmore - CPWA](#)  
Date: 12/3/2013 6:43:28 PM  
Subject: Fwd: Staff's most recent performance plans

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Sent from my iPhone

Begin forwarded message:

From: Sylvia Jones <[sjones@ncd.gov](mailto:sjones@ncd.gov)>  
Date: December 3, 2013 at 5:27:57 PM EST  
To: Rebecca Cokley <[rcokley@ncd.gov](mailto:rcokley@ncd.gov)>  
Cc: Sylvia Jones <[sjones@ncd.gov](mailto:sjones@ncd.gov)>  
Subject: FW: Staff's most recent performance plans

Rebecca,

After further research into the performance plan issue I realized that I gave you hard copies of all staff performance plans (to include mine) on June 4; and although I was confused over the language you used in your Sept. 9 email and did not provide input to you regarding my 2013 performance, that would not have prevented you from issuing me a rating since you stated "I failed to provide input." As stated, my reason for not providing input was due to the unclear emails, nonetheless you had a copy of my performance plan and made no mention of the matter as the supervisor after receiving Stacey Brown's plan.

Please let me know the plan for moving forward...

Sylvia

---

From: Rebecca Cokley  
Sent: Thursday, May 30, 2013 3:05 PM  
To: Sylvia Meniffee  
Subject: RE: Staff's most recent performance plans

Yes that would be helpful.

The QSI paperwork is part of the reason I am asking to see the performance plans. I need information from them to inform the narratives before I proceed.

Rebecca Cokley  
Executive Director  
National Council on Disability  
1331 F Street NW, Suite 850  
Washington, DC 20004

202-272-2124 Voice  
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[Rcokley@ncd.gov](mailto:Rcokley@ncd.gov)  
Website: <http://www.ncd.gov>

-----Original Message-----

From: Sylvia Meniffee  
Sent: Thursday, May 30, 2013 2:53 PM  
To: Rebecca Cokley  
Subject: RE: Staff's most recent performance plans

Sure that works. Would you also like to view the ED plan to get a sense of the 2013 goals, responsibilities, and deliverables for the position also?

On a different note--can you advise me the status of the QSI paperwork?

Thank you,  
Sylvia

---

From: Rebecca Cokley  
Sent: Thursday, May 30, 2013 2:18 PM  
To: Sylvia Meniffee  
Subject: Staff's most recent performance plans

Sylvia

Can we set up a time next Tuesday (maybe 2pm) for me to take a look at all of the staff's most recent performance plans? I want to get up to speed on where everyone's at and have a sense of their goals and what we already have on paper. Thanks.

Rebecca Cokley  
Executive Director  
National Council on Disability  
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Website: <http://www.ncd.gov><<http://www.ncd.gov>>



From: [Rebecca Cokley <rcokley@ncd.gov>](mailto:Rcokley@ncd.gov)  
To: [Lisa Brown-Gilmore - CPWA \(lisa.gilmore@gsa.gov\)](mailto:lisa.gilmore@gsa.gov)  
Date: 12/3/2013 12:06:50 PM  
Subject: FW: directive

---

FYI, she never processed these, and this was before the 09/27 email.

Rebecca Cokley  
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-----Original Message-----

From: Rebecca Cokley  
Sent: Thursday, September 26, 2013 12:01 PM  
To: Sylvia Jones  
Cc: Jeff Rosen  
Subject: directive

Sylvia

This is a direct order, failure to follow these orders can result in disciplinary action up to and including removal from the federal service.

Order 1: You are to follow the instructions and orders of Mr. Jeff Rosen, your second level supervisor

Order 2: You are to process the travel vouchers of Stephanie Orlando and Kamilah Martin-Proctor by COB 09/26/13 or provide in writing to Mr. Rosen a legal reason why these vouchers cannot be processed. Failure to follow agency guidelines for submission is not a legal reason why the vouchers cannot be paid.

Rebecca

Sent from my iPad

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No virus found in this message.

Checked by AVG - [www.avg.com](http://www.avg.com)

Version: 2012.0.2242 / Virus Database: 3629/6376 - Release Date: 11/28/13

From: [Rebecca Cokley <rcokley@ncd.gov>](mailto:Rcokley@ncd.gov)  
To: [Sylvia Jones](#)  
Date: 12/12/2013 11:59:22 AM  
Subject: SF-52s  
Attachments: SKMBT\_60013121113424.pdf  
SKMBT\_60013121113423.pdf  
SKMBT\_60013121113422.pdf  
SKMBT\_60013121113421.pdf

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Mrs. Jones,

Sending back for processing. Thank you.

Rebecca Cokley  
Executive Director  
National Council on Disability  
1331 F Street NW, Suite 850  
Washington, DC 20004  
202-272-2124 Voice  
202-272-2074 TTY  
202-272-2022 Fax  
[Rcokley@ncd.gov](mailto:Rcokley@ncd.gov)  
Website: <http://www.ncd.gov>

From: [Rebecca Cokley <rcokley@ncd.gov>](mailto:rcokley@ncd.gov)  
To: [Jeff Rosen](#)  
Date: 9/25/2013 10:58:10 AM  
Subject: Re: (b) (6) Decision Notice

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Let me talk to Thomasina and see if we can push it back until I'm at least teleworking 50% time, I can come into the office and handle it then in person. I just worry that if we don't move on it, Sylvia will make the case that we're taking our time with Stacey's discipline versus hers--but then again I don't know if this matters.

Sent from my iPad

On Sep 25, 2013, at 10:56 AM, "Jeff Rosen" <jrosen@ncd.gov> wrote:

> Rebecca -

>

> Its my strong preference that you handle this issue upon your return to have an in person handling of the matter and any follow up. Is that possible? If so, that's what I would like to do.

>

> -Jeff

>

> From: Rebecca Cokley

> Sent: Wednesday, September 25, 2013 10:52 AM

> To: Jeff Rosen

> Cc: David Allen; Lisa Brown-Gilmore - CPWA

> Subject: (b) (6) Decision Notice

>

> Jeff

>

>

> Attached is (b) (6). Dave and Lisa, do you advise Jeff speak to (b) (6) with Sylvia present (since she is (b) (6) supervisor) or handle it solo?

>

> Rebecca

>

>

>

From: [Rebecca Cokley <Rcokley@ncd.gov>](mailto:Rcokley@ncd.gov)  
To: [David Allen - WPG-C](#)  
[Lisa Brown-Gilmore - CPWA](#)  
Date: 9/16/2013 8:12:20 AM  
Subject: Fwd: application to become a leave recipient

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See below.

Sent from my iPhone

Begin forwarded message:

From: Sylvia Meniffee <[SMeniffee@ncd.gov](mailto:SMeniffee@ncd.gov)>  
Date: September 16, 2013, 8:10:36 AM EDT  
To: Rebecca Cokley <[Rcokley@ncd.gov](mailto:Rcokley@ncd.gov)>  
Cc: Jeff Rosen <[jrosen@ncd.gov](mailto:jrosen@ncd.gov)>, Sylvia Meniffee <[SMeniffee@ncd.gov](mailto:SMeniffee@ncd.gov)>  
Subject: RE: application to become a leave recipient

Rebecca,

I'm in receipt of your email and I find it to be condescending and discourteous and I'm almost certain that you do not speak to my peers in the manner in which you speak to me. If you need me to do something you can ask me respectfully without attempting to belittle me. I deserve the same respect in the workplace as my peers and I request that your condescending emails to me cease immediately as your tone towards me is offensive, promotes a hostile work environment and is causing unnecessary stress that is affecting my disabilities.

I'm copying Jeff to this email as he stated last week "we will decisively address any conduct issues by agency personnel." As I've stated before I desire to work in a peaceful work environment.

Thank you,

Sylvia

---

From: Rebecca Cokley  
Sent: Friday, September 13, 2013 5:06:17 PM  
To: Sylvia Meniffee  
Subject: RE: application to become a leave recipient

Sylvia,

While I understand why you might be confused, it is obvious from reading the entire page and putting everything in context that use of one's accrued leave is necessary before one can use donated leave but that one can have a balance of available donated leave to use once they

have exhausted their own leave. For this to occur that person must have had leave transferred to them. Here is the relevant portion of 5 CFR for your reference.

630.909 Use of transferred annual leave.

(a) A leave recipient may use annual leave transferred to his or her annual leave account under § 630.906 only for the purpose of a medical emergency for which the leave recipient was approved.

(b) Except as provided in § 630.907, during each biweekly pay period that a leave recipient is affected by a medical emergency, he or she shall use any accrued annual leave (and sick leave, if applicable) before using transferred annual leave.

This has also been confirmed with Mr. Brad Klietherems, in GSA whom I believe you have dealt with on several occasions.

Therefore, I again direct you to process my application for the leave transfer program by COB 9/16/13.

Thank you.

Rebecca Cokley  
Executive Director  
National Council on Disability  
1331 F Street NW, Suite 850  
Washington, DC 20004  
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[Rcokley@ncd.gov](mailto:Rcokley@ncd.gov)<<mailto:Rcokley@ncd.gov>>  
Website: <http://www.ncd.gov><<http://www.ncd.gov>>

From: Sylvia Meniffee  
Sent: Thursday, September 12, 2013 1:13 PM  
To: Rebecca Cokley  
Cc: Sylvia Meniffee  
Subject: RE: application to become a leave recipient

Rebecca,

The information that I sent to you earlier today came from the same OPM website. It appears that you are not reading all the information on the VLTP which specifically states:

Under the Voluntary Leave Transfer Program (VLTP), a covered employee may donate annual leave directly to another employee who has a personal or family medical emergency and who has exhausted his or her available paid leave.

As per my earlier email, you do qualify to become a leave recipient under the voluntary leave

transfer program therefore I cannot process your request.

I recommend that you read the entire policy: <http://www.opm.gov/policy-data-oversight/pay-leave/leave-administration/fact-sheets/voluntary-leave-transfer-program/>

Sylvia

---

From: Rebecca Cokley  
Sent: Thursday, September 12, 2013 12:03 PM  
To: Sylvia Meniffee  
Subject: RE: application to become a leave recipient

Sylvia,

The following is from the OPM website on leave transfer  
<http://www.opm.gov/policy-data-oversight/pay-leave/leave-administration/fact-sheets/voluntary-leave-transfer-program/>

Definitions

Medical Emergency:

A medical emergency is a medical condition of either the employee or the employee's family member (see below) that is likely to require the employee to be absent from duty for a prolonged period and to result in a substantial loss of income because of the employee's lack of available paid leave.

Note: The threshold for "a substantial loss of income" is absence (or expected absence) from duty without available paid leave for at least 24 work hours for a full-time employee. (See Approval or Disapproval of Application to Become a Leave Recipient)

A potential leave recipient's employing agency must determine that a full-time employee's absence from duty without available paid leave because of the medical emergency is (or is expected to be) at least 24 work hours, which may be consecutive or intermittent. For a part-time employee or an employee on an uncommon tour of duty, the period of absence without paid leave is prorated. This period of unpaid absence qualifies as a substantial loss of income for purposes of the medical emergency determination.

Use of Donated Annual Leave

A leave recipient may use donated annual leave only for purposes related to the medical emergency for which the leave recipient was approved. Except for leave in set-aside accounts (described below), a leave recipient must use any accrued annual leave (and sick leave, if applicable) before using transferred annual leave.

Based on the above you are mistaken in:

- A. determining that my pregnancy does not meet the definition of medical emergency.
- B. stating that I have to use all my leave before I apply for the program. (I understand that I must use all available leave before I can use any transferred leave.)

Please process my request or show me in writing where I have misinterpreted OPM guidance.

Please understand that, because of my position, I will not accept any leave donated from employees of this agency.

Rebecca Cokley  
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[Rcokley@ncd.gov](mailto:Rcokley@ncd.gov)<<mailto:Rcokley@ncd.gov>>  
Website: <http://www.ncd.gov><<http://www.ncd.gov>>

From: Sylvia Meniffee  
Sent: Thursday, September 12, 2013 10:12 AM  
To: Rebecca Cokley  
Cc: Sylvia Meniffee  
Subject: RE: application to become a leave recipient

Rebecca,

You do not qualify to become a leave recipient under the voluntary leave transfer program.

Under the Voluntary Leave Transfer Program (VLTP), a covered employee may donate annual leave directly to another employee who has a personal or family medical emergency and who has exhausted his or her available paid leave.

You have not exhausted all your available paid leave. You currently have 114 hours of annual leave and 7.5 hours of sick leave that must be exhausted before you can qualify to become a recipient; in addition to having either a 1) personal medical emergency or a 2) family medical emergency.

Enjoy your day,  
Sylvia

---

From: Rebecca Cokley  
Sent: Wednesday, September 11, 2013 10:03 AM  
To: Sylvia Meniffee  
Cc: Jeff Rosen; Lynnae Rutledge  
Subject: application to become a leave recipient

Ms. Meniffee

Attached is my signed application to become a leave recipient under the voluntary leave transfer program. Please process the agreement by COB 9/12/13 or provide me with specific reasons why it cannot be legally processed.

Rebecca Cokley  
Executive Director

From: [Rebecca Cokley <rcokley@ncd.gov>](mailto:rcokley@ncd.gov)  
To: [Lisa Brown-Gilmore - CPWA](#)  
Date: 10/25/2013 9:55:20 AM  
Subject: Re: A Few Questions

---

- 1) Nick- Network Consultant for NCD
- 2) Will look for it
- 3) Will look for it.
- 4) No
- 5) Yes, did you get it? I can send it again.

Rebecca

Sent from my iPad

On Oct 25, 2013, at 9:42 AM, "Lisa Brown-Gilmore - CPWA" <lisa.gilmore@gsa.gov> wrote:

(b) (5)

> Sent from my iPhone



From: [Rebecca Cokley <rcokley@ncd.gov>](mailto:Rebecca.Cokley@ncd.gov)  
To: [Brad Kliethermes - BCEC](#)  
Date: 9/11/2013 11:39:46 AM  
Subject: Re: Your assistance

---

Brad

What would that need to look like? Should it come from the head of the agency (the chair)?

Rebecca

Sent from my iPhone

On Sep 11, 2013, at 11:33 AM, "Brad Kliethermes - BCEC" <[bradley.kliethermes@gsa.gov](mailto:bradley.kliethermes@gsa.gov)> wrote:

We are able to process the timecards in the interim if needed. An email with proper certification is all that would be required for us to do the input.

Bradley Kliethermes  
Supervisory Accountant Payroll Operations  
GSA National Payroll Branch (BCEC)  
Financial and Payroll Services Division  
Office of the Chief Financial Officer  
Phone: (816) 823-3906  
Fax: (816) 823-5447

Please go to the following link to provide feedback on the service I provided.

<https://spreadsheets.google.com/spreadsheet/viewform?formkey=dEVCVTdXNkdWZlF9OWHZmdUgwbnZlaVE6MA>

FOR OFFICIAL USE ONLY --- The information contained in this e-mail is privileged and confidential and is intended only for the use of the addressee(s) indicated above. Anyone who receives this e-mail in error should notify the sender by telephone immediately, and destroy the original message and any copies.

On Wed, Sep 11, 2013 at 10:29 AM, David Allen - WPG-C <[david.allen@gsa.gov](mailto:david.allen@gsa.gov)> wrote:

Mr. Kliethermes,

I want to first thank you for agreeing to assist us in getting Ms. Cokley's comp time properly credited to her account.

We are unsure whether Ms. Menifee will certify that time once Ms. Cokely claims in on her time card.

I am asking you to confirm that you can approve and have input the use of that comp time, in accordance with all appropriate regulations, should Ms. Menifee decline to appropriately process it.

Management is addressing the issue of certifying an alternate timekeeper within the agency so that your continued involvement will not be necessary.

—

Dave Allen  
Employee Relations Specialist  
301 7<sup>th</sup> Street SW  
Room 1619  
Washington, DC 20407  
[David.Allen@GSA.gov](mailto:David.Allen@GSA.gov)  
[202-690-9475](tel:202-690-9475)

FAX [202-205-2546](tel:202-205-2546) (Please call or email if faxing so that I can retrieve it)

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No virus found in this message.

Checked by AVG - [www.avg.com](http://www.avg.com)

Version: 2012.0.2242 / Virus Database: 3222/6155 - Release Date: 09/11/13

From: [Rebecca Cokley <rcokley@ncd.gov>](mailto:Rcokley@ncd.gov)  
To: [Jeff Rosen](#)  
Date: 9/30/2013 12:30:04 PM  
Subject: Re: Sylvia's Husband

---

Jeff

to recap: I spoke with Sylvia at 12:15 and after putting me on speakerphone she confirmed that the individual in her office was her husband, and she refused repeatedly to tell me what she was working on, citing that I was on leave and not in a position to ask her. I asked her to call me back after she goes on lunch with her husband and she repeatedly refused, telling me that she didn't need to call me back because I was on leave.

1-877-437-7411 is the number for the Federal Protective Service

RC

Sent from my iPad

On Sep 30, 2013, at 12:24 PM, "Jeff Rosen" <[jrosen@ncd.gov](mailto:jrosen@ncd.gov)> wrote:

I checked with some interpreters and no one is available this afternoon.

I'm continuing to look around. Please keep me posted about any developments in the meantime.

---

**From:** Lisa Brown-Gilmore - CPWA <[lisa.gilmore@gsa.gov](mailto:lisa.gilmore@gsa.gov)>  
**Sent:** Monday, September 30, 2013 12:15 PM  
**To:** Jeff Rosen  
**Cc:** Rebecca Cokley; David Allen  
**Subject:** Re: Sylvia's Husband

(b) (5)

Thanks.

-Jeff

---

**From:** Lisa Brown-Gilmore - CPWA <[lisa.gilmore@gsa.gov](mailto:lisa.gilmore@gsa.gov)>

**Sent:** Monday, September 30, 2013 11:53 AM

**To:** Rebecca Cokley

**Cc:** David Allen; Jeff Rosen

**Subject:** Re: Sylvia's Husband

Jeff

(b) (5)

On Mon, Sep 30, 2013 at 11:34 AM, Rebecca Cokley <[rcokley@ncd.gov](mailto:rcokley@ncd.gov)> wrote:

Lisa

I've been contacted by 3 staff about this today. What can we do?

RC

Sent from my iPhone

Begin forwarded message:

**From:** Robyn Powell <[RPowell@ncd.gov](mailto:RPowell@ncd.gov)>

**Date:** September 30, 2013 at 11:23:13 AM EDT

**To:** Jeff Rosen <[jrosen@ncd.gov](mailto:jrosen@ncd.gov)>, Rebecca Cokley <[rcokley@ncd.gov](mailto:rcokley@ncd.gov)>

**Subject:** Sylvia's Husband

Hi Jeff and Rebecca,

Staff have informed me that a man (assumedly Sylvia's husband) has been in Sylvia's office for several hours with her and that they have overheard what sounds like papers being ripped. I wanted to let you know, as this seems inappropriate.

Thanks,  
Robyn

--

Lisa Gilmore  
Human Resources Specialist (Employee Relations)  
Washington Area Operations Center  
Employee Relations Branch-CPWA  
301 7th Street, S.W., Room 1022

From: [Rebecca Cokley <rcokley@ncd.gov>](mailto:Rcokley@ncd.gov)  
To: [David Allen - WPG-C](#)  
Date: 9/12/2013 8:58:26 AM  
Subject: FW: Notes from meeting last week

---

How do I respond?

Rebecca Cokley  
Executive Director  
National Council on Disability  
1331 F Street NW, Suite 850  
Washington, DC 20004  
202-272-2124 Voice  
202-272-2074 TTY  
202-272-2022 Fax  
[Rcokley@ncd.gov](mailto:Rcokley@ncd.gov)  
Website: <http://www.ncd.gov>

---

**From:** Sylvia Meniffee  
**Sent:** Thursday, September 12, 2013 8:58 AM  
**To:** Rebecca Cokley  
**Cc:** Chanda Bethea; Sylvia Meniffee  
**Subject:** FW: Notes from meeting last week

Rebecca,

I am offended by your email to Ms. Bethea. The email is noted for the record and will be reported and forwarded to the appropriated authorities under the Whistleblower Protection Act.

Have a nice day,  
Sylvia

---

**From:** Chanda Bethea  
**Sent:** Thursday, September 12, 2013 8:49 AM  
**To:** Rebecca Cokley  
**Cc:** Sylvia Meniffee  
**Subject:** RE: Notes from meeting last week

No problem.

***Chanda M. Bethea, MBA***  
National Council on Disability  
1331 F Street, NW, Suite 850  
Washington, DC 20004  
Ph: 202-272-0104  
Fax: 202-272-2022  
[cbethea@ncd.gov](mailto:cbethea@ncd.gov)

**Website:**  
<http://www.ncd.gov>  
**NCD's Facebook page:**  
<https://www.facebook.com/NCDgov>

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---

**From:** Rebecca Cokley  
**Sent:** Thursday, September 12, 2013 8:48 AM  
**To:** Chanda Bethea  
**Cc:** Sylvia Menifee  
**Subject:** RE: Notes from meeting last week

Ok. Thank you.

Rebecca Cokley  
Executive Director  
National Council on Disability  
1331 F Street NW, Suite 850  
Washington, DC 20004  
202-272-2124 Voice  
202-272-2074 TTY  
202-272-2022 Fax  
[Rcokley@ncd.gov](mailto:Rcokley@ncd.gov)  
Website: <http://www.ncd.gov>

---

**From:** Chanda Bethea  
**Sent:** Thursday, September 12, 2013 8:48 AM  
**To:** Rebecca Cokley  
**Cc:** Sylvia Menifee  
**Subject:** RE: Notes from meeting last week

Rebecca,

My notes that I emailed you are exactly what I wrote down from the meeting. Nothing had been edited or reviewed. I am a bit confused as to what is being asked. As I stated in the original email I typed up my original notes. The persons that were in the meeting can verify. Nothing was edited or changed. I hope this helps.

**Chanda M. Bethea, MBA**  
National Council on Disability  
1331 F Street, NW, Suite 850  
Washington, DC 20004

Ph: 202-272-0104  
Fax: 202-272-2022  
[cbethea@ncd.gov](mailto:cbethea@ncd.gov)

**Website:**

<http://www.ncd.gov>

**NCD's Facebook page:**

<https://www.facebook.com/NCDgov>

**Follow NCD on Twitter:**

<http://twitter.com/NatCounDis>

**Sign up for regular email updates at:**

<http://www.ncd.gov/subscribe>

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---

**From:** Rebecca Cokley  
**Sent:** Thursday, September 12, 2013 8:44 AM  
**To:** Chanda Bethea  
**Subject:** RE: Notes from meeting last week

Chanda-

Are these a direct recopying of the original ones or are they the ones that have been reviewed, edited and approved by Sylvia?

Thank you,

Rebecca Cokley  
Executive Director  
National Council on Disability  
1331 F Street NW, Suite 850  
Washington, DC 20004  
202-272-2124 Voice  
202-272-2074 TTY  
202-272-2022 Fax  
[Rcokley@ncd.gov](mailto:Rcokley@ncd.gov)  
Website: <http://www.ncd.gov>

---

**From:** Chanda Bethea  
**Sent:** Monday, September 09, 2013 2:42 PM  
**To:** Rebecca Cokley  
**Cc:** Sylvia Meniffee  
**Subject:** RE: Notes from meeting last week

Rebecca,

After the meeting I typed up my original notes as I have poor penmanship. I no longer have the original hand written notes due to typing them up. I was able to capture everything that was discussed in the meeting. I have attached the typed version per your request. I was not aware that I should keep my original hand written version. I am new to how things are done here. I will attempt to write more legibly next time in case I am ever asked to take notes again. I will also remember to keep my hand written version.

Thanks,

**Chanda M. Bethea, MBA**

National Council on Disability  
1331 F Street, NW, Suite 850  
Washington, DC 20004  
Ph: 202-272-0104  
Fax: 202-272-2022  
[cbethea@ncd.gov](mailto:cbethea@ncd.gov)

**Website:**

<http://www.ncd.gov>

**NCD's Facebook page:**

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---

**From:** Rebecca Cokley  
**Sent:** Monday, September 09, 2013 1:43 PM  
**To:** Chanda Bethea  
**Subject:** Notes from meeting last week

Chanda

Please submit to me a photocopy of the original notes you took of the meeting between Ms. Meniffee and Mr.

Rosen by COB today.

Rebecca Cokley  
Executive Director  
National Council on Disability  
1331 F Street NW, Suite 850  
Washington, DC 20004  
202-272-2124 Voice  
202-272-2074 TTY  
202-272-2022 Fax  
[Rcokley@ncd.gov](mailto:Rcokley@ncd.gov)  
Website: <http://www.ncd.gov>

---

No virus found in this message.

Checked by AVG - [www.avg.com](http://www.avg.com)

Version: 2012.0.2242 / Virus Database: 3222/6150 - Release Date: 09/09/13

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No virus found in this message.

Checked by AVG - [www.avg.com](http://www.avg.com)

Version: 2012.0.2242 / Virus Database: 3222/6150 - Release Date: 09/09/13

---

No virus found in this message.

Checked by AVG - [www.avg.com](http://www.avg.com)

Version: 2012.0.2242 / Virus Database: 3222/6159 - Release Date: 09/12/13

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No virus found in this message.

Checked by AVG - [www.avg.com](http://www.avg.com)

Version: 2012.0.2242 / Virus Database: 3222/6159 - Release Date: 09/12/13

---

No virus found in this message.

Checked by AVG - [www.avg.com](http://www.avg.com)

Version: 2012.0.2242 / Virus Database: 3222/6159 - Release Date: 09/12/13

---

No virus found in this message.

Checked by AVG - [www.avg.com](http://www.avg.com)

Version: 2012.0.2242 / Virus Database: 3222/6159 - Release Date: 09/12/13



From: [Rebecca Cokley <rcokley@ncd.gov>](mailto:rcokley@ncd.gov)  
To: [Lisa Brown-Gilmore - CPWA](#)  
[Brenda Ward - LG](#)  
Date: 10/25/2013 11:45:42 AM  
Subject: Fwd: response

---

FYI

Sent from my iPad

Begin forwarded message:

From: Sylvia Jones <[sjones@ncd.gov](mailto:sjones@ncd.gov)>  
Date: October 25, 2013, 11:44:55 AM EDT  
To: Rebecca Cokley <[rcokley@ncd.gov](mailto:rcokley@ncd.gov)>  
Cc: Sylvia Jones <[sjones@ncd.gov](mailto:sjones@ncd.gov)>  
Subject: RE: response

Rebecca,

Thank you for your response. Your email clearly proves my husbands claim that he was racially profiled and I thank you for the supporting documentation.

Have a good day!  
Sylvia

---

**From:** Rebecca Cokley  
**Sent:** Friday, October 25, 2013 11:34 AM  
**To:** Sylvia Jones  
**Subject:** response

Mrs. Jones:

On behalf of the National Council on Disability (NCD), I am responding to the two email messages which were sent to NCD Board Members from your husband, Charles F. Jones, on September 30, 2013 and again on October 21, 2013.

Both emails assert that your husband believes that the Council was racially profiling him by questioning his visit to the office and requesting the Federal Protective Service (FPS) to escort the two of you from the premises and continued harassment of you for filing claims against the Council for alleged illegal activity. The Council denies these and other assertions made by your husband in those emails.

We regret that your husband perceived our actions negatively because this was not our intent. Rather our intent was to ensure the safety of the staff and protection of government property. On September 30, 2013, I received reports from NCD staff members that an unknown gentleman was in your office for several hours behind closed doors. I was also informed that suspicious behavior was being conducted such as furniture moving and paper being torn or shredded. Since an unknown individual was in the private space of our office and not in a public area, staff

members became concerned. Because of this concern from the staff, I called you to gain a better understanding of what was occurring in our private space on Federal property during official duty hours. During our telephone conversation, I explained to you that I had received reports from NCD employees stating that an unknown gentleman was in your office for several hours behind closed doors. I asked you who the gentleman was and what were you working on. You informed me that the gentleman in your office was your husband. You were very rude to me during the telephone call. When I asked you what you were working on you repeatedly refused to answer my question and told me that you did not have to respond to me because I was on leave. You informed me that you were going to lunch, I asked you to call me upon your return from lunch and you refused my instruction, for the same reason.

Based on your refusal to respond to my questions during our telephone conversation, and because it was very unclear as to what assignments you were working on and what your intentions were in regards to NCD property, I was advised to have security available should there be a need to escort you and/or your husband from the premises. This is not an unusual practice when there is concern about activities taking place in non-public areas of Federal space.

Although family members do visit the office, there was concern because of the length of time that we were informed that Mr. Jones was present and the disruption to the business of the commission. NCD had no further alternative than to ensure the safety of the staff and the protection of government property.

I have repeatedly reminded you that as the Executive Director, I am your first level supervisor and Jeff Rosen, Chairperson, is your second level supervisor. You must respond to our instructions as appropriate.

Your failure to cooperate with me during our telephone conversation forced this situation to escalate to an unnecessary level. The entire situation would have been prevented had you responded to me appropriately. Further, in the future, do not allow your husband to move NCD furniture as he is not authorized to do so.

Rebecca Cokley

9/25/13

GSA.gov Mail - FW: Agency contingency plan

---

**From:** Sylvia Jones  
**Sent:** Wednesday, September 25, 2013 10:11 AM  
**To:** Jeff Rosen  
**Cc:** Rebecca Cokley; Gary Blumenthal; Sylvia Jones  
**Subject:** RE: Agency contingency plan

Jeff,

This is one of duties of the Executive Director. As you are aware, she did not appoint a successor in her planned absence and due to an abundance of work to include budget close out I am unable to take on additional responsibilities outside the scope of my duties.

Sylvia

---

**From:** Jeff Rosen  
**Sent:** Wednesday, September 25, 2013 9:45 AM  
**To:** Sylvia Jones  
**Cc:** Rebecca Cokley; Gary Blumenthal  
**Subject:** RE: Agency contingency plan

Sylvia -

This is a reminder that the draft contingency plan is due from you to Gary and myself no later than COB today.

I met with OMB yesterday and our budget examiner wrote to me this morning that the plan would be ideally provided them by tomorrow, but must be submitted no later than this Friday.

-Jeff

---

Wed, Sep 25, 2013 at 11:01 AM

**Jeff Rosen** <jrosen@ncd.gov>  
To: Sylvia Jones <sjones@ncd.gov>  
Cc: Rebecca Cokley <rcokley@ncd.gov>, Gary Blumenthal <GBlumenthal@ncd.gov>

Sylvia,

Again I must resort to providing you with a direct order. Failure to follow this order could result in discipline up to and including removal.

While I understand that you are busy with end of year duties, and I recognize your comment that the contingency plan would normally be the responsibility of the Executive Director, I am ordering you to prepare the draft contingency plan as I requested in my email to you on Friday, September 20, 2013. You are directed to have the draft plan available for me and Gary by COB today.

-Jeff

<https://mail.google.com/mail/u/0/?ui=2&ik=2709411972&view=pt&search=inbox&th=141502f89180f76f>

4/7

**From:** Sylvia Jones  
**Sent:** Wednesday, September 25, 2013 12:58 PM  
**To:** Jeff Rosen  
**Cc:** Rebecca Cokley; Gary Blumenthal; Sylvia Jones  
**Subject:** FW: Agency contingency plan

Jeff,

6/7

As previously stated, it is the responsibility of the Executive Director to prepare the Agency Contingency Plan. Both you and Rebecca were notified and became aware of OMB's request on September 18, 2013 at 10:22 a.m. during which time both you and Rebecca were in the office for staff meeting. However neither of you took any action to ensure the plan was completed knowing that Rebecca would be going out on maternity leave. In fact, Rebecca never mentioned the request and you waited until she went out on maternity leave to unlawfully direct me to perform her duties. There are two additional office director's in NCD: 1) Gerrie Drake Hawkins; and 2) Anne Sommers. Out of the three director's here, I am the only director being targeted by you.

The Executive Director was negligent in her duties by not appointing an interim Executive Director to ensure the plan and/or any other deliverables for which she was responsible were carried out. Per Office Directors...staff were informed by you during the staff meeting on Sept 18 that there was not a need for an Interim ED when Dr. Hawkins posed the question to you and Rebecca as to who would supervise the staff. Thus, I cannot understand why you continue to send me daily harassing emails to interrupt the order of the day to day operations issuing me unlawful directives.

Again, you are acting outside the scope of your authority. Please cease and desist further communication with me until the Executive Director returns to duty. If these actions continue to persist I will be forced to seek civil remedies.

As of September 19, 2013, I do not have a supervisor until Nov 4 when Rebecca returns to duty part-time. Therefore this is my last email to you.

Sylvia



Lisa Brown-Gilmore - CPWA <lisa.gilmore@gsa.gov>

---

**FW: DEVIS**

1 message

Jeff Rosen <jrosen@ncd.gov>

Tue, Sep 24, 2013 at 1:44 PM

To: "Lisa Brown-Gilmore - CPWA (lisa.gilmore@gsa.gov)" <lisa.gilmore@gsa.gov>, David Allen - WPG-C <david.allen@gsa.gov>

---

**From:** Sylvia Jones

**Sent:** Tuesday, September 24, 2013 12:22 PM

**To:** Jeff Rosen

**Cc:** Sylvia Jones; Rebecca Cokley

**Subject:** FW: DEVIS

Jeff,

Pursuant to NCD Authorizing Statutue and the NCD Bylaws, the NCD Chair is not authorized to supervise office staff; nor is the NCD Chair responsible for managing the day to day operations of the office. Per the statutue and the bylaws, the chairperson is responsible for the appointment, supervision, and at his/her discretion, **removal** of the Executive Director.

Your belief that I recused myself "simply becuse I disagreed with a decision" is a false statement and It also appears that you are mistaken about my duties as the Director of Administration. In accordance with the Federal Acquisition Regulation, the authority and responsibility to contract for authorized supplies and services is vested in a warranted Contracting Officer and/or the Agency Head.

Ms. Cokley issued me a direct order regarding this issues on June 28, 2013 and I complied with her direct order. Therefore I request that you cease and desist issuing any further communication to me on this issue due to the nature of the request as it pertains to a direct order issued to me by my supervisor.

Furthermore, your threats are unwarranted and unlawful as you are acting outside the scope of your duties. If you have any questions in the absence of the NCD General Counsel, please consult with GSA. Also, please note that these unlawful and retailatory threats against me will be forwarded to the appropriate government officials.

- Sylvia

---

**From:** Jeff Rosen

**Sent:** Friday, September 20, 2013 1:12 PM

**To:** Sylvia Jones

**Cc:** Rebecca Cokley

**Subject: DEVIS**

Sylvia,

I understand that you recused yourself from working on a contract to replace DEVIS. You have presented no legal reason why you recused yourself.

I believe you recused yourself simply because you disagreed with the decision. Disagreeing with a decision is not grounds for recusing oneself from performing their assigned duties.

The purpose of this message is to give you a direct order. Failure to follow this order could result in disciplinary action up to and including removal.

You are to perform the duties of your position, including working on the contract to replace DEVIS immediately or to present me with written material supporting your recusal showing why the contemplated action is illegal or against government wide regulations. This written material must be presented by COB September 24, 2013.

In addition if, in the future, you believe you must recuse yourself from performing your duties, you will provide similar written documentation supporting your request with that request.

-Jeff

---

Jeff Rosen <jrosen@ncd.gov>

Tue, Sep 24, 2013 at 7:54 AM

To: Lisa Brown-Gilmore - CPWA <lisa.gilmore@gsa.gov>

Cc: Rebecca Cokley <rcokley@ncd.gov>, David Allen - WPG-C <david.allen@gsa.gov>

Her auto answer is still in use as of this morning., which reads:

"Sylvia Jones Automatic reply: Thank you for your email. I'm currently in the office. However due to end of year budget and payroll close out I am unable to respond to emails. I will respond to all emails by the close of business Wednesday, September 25, 2013. Thank you, Sylvia"

She is continuing not to respond to any emails or calls from NCD management, including Gary. We are in a financial crisis mode as a result.

If Sylvia continues to refuse to cooperate today or tomorrow, NCD will be significantly harmed as a result. She is aware of our need through numerous emails and phone messages.





David Allen - WPG-C &lt;david.allen@gsa.gov&gt;

---

**URGENT NCD directive to Ms. Meniffee**

5 messages

Jeff Rosen <jrosen@ncd.gov>  
To: Sylvia Jones <sjones@ncd.gov>  
Cc: Rebecca Cokley <rcokley@ncd.gov>

Mon, Sep 23, 2013 at 3:20 PM

Sylvia,

Your decision to stop reading emails or taking phone calls until September 25, 2013 is a gross neglect of your duty and will not be tolerated. I consider this to be a failure to perform the basic functions of your job. You are hereby directed to continue to read and respond to emails and telephone calls effective immediately. Failure to follow this direct order may lead to disciplinary action up to and including removal.

-Jeff

---

Jeff Rosen <jrosen@ncd.gov>  
To: Stacey Brown <SBrown@ncd.gov>  
Cc: Rebecca Cokley <rcokley@ncd.gov>

Tue, Sep 24, 2013 at 8:01 AM

Stacey -

Please print this email in full and place it under Sylvia's door.

Thank you.

-Jeff

---

**From:** Jeff Rosen  
**Sent:** Monday, September 23, 2013 3:20 PM  
**To:** Sylvia Jones  
**Cc:** Rebecca Cokley  
**Subject:** URGENT NCD directive to Ms. Meniffee

9/25/13

GSA.gov Mail - URGENT NCD directive to Ms. Menifee

To: "Lisa Brown-Gilmore - CPWA (lisa.gilmore@gsa.gov)" <lisa.gilmore@gsa.gov>, David Allen - WPG-C <david.allen@gsa.gov>  
Cc: Rebecca Cokley <rcokley@ncd.gov>

Sylvia was handed a hard copy and she asked Stacey to forward the email to her.

---

**From:** Jeff Rosen

**Sent:** Tuesday, September 24, 2013 8:06 AM

**To:** Lisa Brown-Gilmore - CPWA (lisa.gilmore@gsa.gov); David Allen - WPG-C

[Quoted text hidden]

[Quoted text hidden]

---

**Jeff Rosen** <jrosen@ncd.gov>

Tue, Sep 24, 2013 at 8:58 AM

To: "Lisa Brown-Gilmore - CPWA (lisa.gilmore@gsa.gov)" <lisa.gilmore@gsa.gov>, David Allen - WPG-C <david.allen@gsa.gov>

Cc: Rebecca Cokley <rcokley@ncd.gov>

Sylvia's response below.

---

**From:** Sylvia Jones

**Sent:** Tuesday, September 24, 2013 8:39 AM

**To:** Jeff Rosen

**Cc:** Rebecca Cokley; Sylvia Jones

**Subject:** FW: URGENT NCD directive to Ms. Menifee

Jeff,

As stated on yesterday, pursuant to NCD Authorizing Statutue and the NCD Bylaws, the NCD Chair is not authorized to supervise office staff; nor is the NCD Chair responsible for managing the day to day operations of the office. Per the statutue and the bylaws, the chairperson is responsible for the appointment, supervision, and at his/her discretion, **removal** of the Executive Director (only).

Stacey Brown is an employee under my supervision and it is inappropriate for you to involve my staff in your harassmement and retaliatory attacks against me. Furhtermore it is demaening and demoralizing for you to send such an unlawful and disrespectful email to my staff without having all the facts. As the NCD Chair and an Attorney I very concern over your intentional disregard for federal laws, regulations, and procedures.

My out of office was placed on due to these types of email distractions In order to allow me to close out the agency's annual budget. Julie Carrol was allowed to have her out of office email on for approximately three weeks while she allegedly dog trained and teleworked in NJ and you did not threatened her with this type of email. In fact you supported the endeavor.

Your threats are unwarranted and unlawful as you are acting outside the scope of your duties and the disrespect towards me in front of my staff is uncivil and displays a hostile work

environment. Therefore I request that you cease and desist issuing any further communication to me through my staff and/or any other NCD employee.

Please note that the inappropriate email sent to Stacey Brown at 8:01 am will be forwarded to the appropriate government officials shortly. If you have any questions in the absence of the NCD General Counsel, please consult with GSA.

-Sylvia

---

**From:** Stacey Brown  
**Sent:** Tuesday, September 24, 2013 8:12 AM  
**To:** Sylvia Jones  
**Subject:** FW: URGENT NCD directive to Ms. Meniffee

FYI-Per your request.

---

**From:** Jeff Rosen  
**Sent:** Tuesday, September 24, 2013 8:01 AM  
**To:** Stacey Brown  
**Cc:** Rebecca Cokley  
**Subject:** FW: URGENT NCD directive to Ms. Meniffee

[Quoted text hidden]

---

No virus found in this message.  
Checked by AVG - [www.avg.com](http://www.avg.com)  
Version: 2012.0.2242 / Virus Database: 3222/6194 - Release Date: 09/24/13



David Allen - WPG-C &lt;david.allen@gsa.gov&gt;

---

**FW: Julie Leave**

7 messages

---

**Rebecca Cokley** <rcokley@ncd.gov>  
To: David Allen - WPG-C <david.allen@gsa.gov>

Mon, Sep 9, 2013 at 1:18 PM

See attached.

Rebecca Cokley  
Executive Director  
National Council on Disability  
1331 F Street NW, Suite 850  
Washington, DC 20004  
202-272-2124 Voice  
202-272-2074 TTY  
202-272-2022 Fax  
Rcokley@ncd.gov  
Website: <http://www.ncd.gov>

—Original Message—

From: Julie Carroll  
Sent: Tuesday, August 27, 2013 3:23 PM  
To: Rebecca Cokley  
Subject: RE: Julie Leave

Rebecca,  
This is a reasonable accommodation issue - not an OPM issue. It was negotiated between me and my supervisor.

Julie

—Original Message—

From: Rebecca Cokley  
Sent: Tuesday, August 27, 2013 3:21 PM  
To: Julie Carroll  
Subject: Re: Julie Leave

Keep me posted as to what she says. I'll reach out to OPM too.

Rebecca

Sent from my iPhone

On Aug 27, 2013, at 3:14 PM, "Julie Carroll" &lt;JCarroll@ncd.gov&gt; wrote:

&gt;

&gt;

&gt; —Original Message—

> From: Sylvia Menifee  
> Sent: Tuesday, August 27, 2013 3:12 PM  
> To: Julie Carroll; Robyn Powell  
> Subject: RE: Julie Leave

>  
> Julie - I need to check OPM policy to see if you can be approved to telework on regular/consistent basis and on situational basis. To my knowledge you can only select one telework option (i.e. regular or episodic); both are considered medical telework however I will check the policy and get back to you with an answer soon.

>  
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>  
> It appears that we may have to update the form but for now use the current version; Stacey can convert it for you.

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>  
>  
>  
>  
> Thank you,

>  
>  
>  
> Sylvia Meniffee  
>  
> Director of Administration  
>  
> National Council on Disability  
>  
> 1331 F Street, NW, Suite 850  
>  
> Washington, DC 20004  
>  
> Ph: 202-272-2113  
>  
> Fax: 202-272-2022  
>  
> smeniffee@ncd.gov

>  
>  
>  
>  
> CONFIDENTIALITY NOTICE: The information contained in this electronic correspondence is intended solely for the individual or entity named above and access by anyone else is unauthorized. If you are not the intended recipient, any disclosure, copying, distribution, or use of the contents of this information is prohibited without express permission. If you have received this electronic transmission in error, please reply immediately to the sender that you have received the message in error, and delete it. Thank you. The information contained herein does not reflect any official position or statement of the Members or staff of the National Council on Disability (NCD).

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>  
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>  
> —Original Message—

> From: Julie Carroll  
> Sent: Tuesday, August 27, 2013 2:47 PM  
> To: Sylvia Meniffee; Robyn Powell  
> Subject: RE: Julie Leave

>  
>

the individual or entity named above and access by anyone else is unauthorized. If you are not the intended recipient, any disclosure, copying, distribution, or use of the contents of this information is prohibited without express permission. If you have received this electronic transmission in error, please reply immediately to the sender that you have received the message in error, and delete it. Thank you. The information contained herein does not reflect any official position or statement of the Members or staff of the National Council on Disability (NCD).

>  
>  
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>  
> —Original Message—

>  
> From: Julie Carroll  
>  
> Sent: Tuesday, August 27, 2013 1:48 PM  
>  
> To: Sylvia Meniffee; Robyn Powell  
>  
> Subject: RE: Julie Leave  
>  
>  
>

> I worked from home - a conference call re planning regional forums, emails, setting up meetings, and attending a webinar.  
>  
>  
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>  
>

> —Original Message—

>  
> From: Sylvia Meniffee  
>  
> Sent: Tuesday, August 27, 2013 1:47 PM  
>  
> To: Robyn Powell  
>  
> Cc: Julie Carroll  
>  
> Subject: FW: Julie Leave  
>  
>  
>

> Hi Robyn,  
>  
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>  
>

> Julie was out for the entire day on 8/26. The attached leave slip only covers 4 hours of sick leave versus 8 hours. Please advise...

>  
>  
>  
>  
>  
>

**From:** Sylvia Menifee  
**Sent:** Thursday, September 12, 2013 2:01 PM  
**To:** Rebecca Cokley  
**Cc:** Sylvia Menifee; DrGerrie Hawkins  
**Subject:** RE: Julie's telework plan

Rebecca,

Please provide me with Information source and/or federal regulation for which you state you researched the issue in order to make your determination.

Sylvia

---

**From:** Rebecca Cokley

<https://mail.google.com/mail/u/0/?ui=2&ik=2709411972&view=pt&cat=Menifee&search=cal&th=14113562c4ec3bc4>

1/2

24/13 GSA.gov Mail - FW: Julie's telework plan

**Sent:** Wednesday, September 11, 2013 9:52 AM  
**To:** Sylvia Menifee  
**Cc:** Julie Carroll; Joan Durocher; Lynnae Ruttledge  
**Subject:** Julie's telework plan

Sylvia

I have researched this issue and there is no prohibition in having a flexible telework arrangement with different types of telework. The acting Director of Policy has signed off.

Please process the agreement by COB 9/12/13 or provide me with specific reasons why it cannot be legally processed.

Rebecca Cokley

Executive Director

National Council on Disability

1331 F Street NW, Suite 850

Washington, DC 20004

202-272-2124 Voice

202-272-2074 TTY



David Allen - WPG-C &lt;david.allen@gsa.gov&gt;

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**Ms. Carroll's telework**

1 message

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Jeff Rosen <jrosen@ncd.gov>  
To: Sylvia Jones <sjones@ncd.gov>  
Cc: Rebecca Cokley <rcokley@ncd.gov>

Thu, Sep 19, 2013 at 12:52 PM

Sylvia,

I write in Ms Cokley's absence.

This is in regards to Ms. Carroll's telework plan. This was researched on OPM .gov at [http://www.telework.gov/guidance\\_and\\_legislation/telework\\_guide/telework\\_guide.pdf](http://www.telework.gov/guidance_and_legislation/telework_guide/telework_guide.pdf) In addition they provided the following guidance to your specific question to Ms. Margaret Higgins, Human Resources Specialist, at GSA (202-501-3764).

You are correct. While OPM's Telework Guide breaks down types of telework into two groups: 1) routine telework (telework that occurs as part of an ongoing, regular schedule, and 2) situational telework (telework approved on a case-by-case basis where the hours worked are not part of a previously approved, ongoing and regular telework schedule), our policy guidance only states that any employee who wishes to telework (regardless of type) must first complete telework training and have a written telework agreement in place (see page 4 of the Telework Guide). I might also add that the Telework Enhancement Act gave each Executive agency the exclusive authority to establish its own telework policy (subject to the limitations described in the law – e.g. written agreement). The language also specifically states the telework agreement is entered into between the manager and the employee and should outline the specific work arrangement that is agreed to between the two. This should ensure maximum flexibility is in the hands of the agency and manager in order to meet agency mission and operational/organizational needs. Remember one of the most common uses of situational telework is 'unscheduled telework' in the event of a weather related and other emergencies, which again lends further credence to the flexibility agencies and managers exercise in the use of telework as a strategic management tool. Thus in sum, unless GSA's telework policy disallows the flexibility that is described in this scenario, each individual manager has the discretion to establish routine telework schedules and to modify those arrangements on a temporary/case-by-case basis to allow for situational telework to meet organizational needs. A caveat to this, of course, is a case in which an employee moves from a purely situational telework schedule to a routine telework schedule (or vice versa). In that case, the telework agreement should be modified to reflect permanent changes to the telework agreement.

I believe you would agree that an employee with an agreement for only regular telework, could telework during a weather emergency (situational).

Please process Ms. Carroll's telework agreement by COB 9-20-13 or provide me written regulations that prevent you from doing so.

-Jeff



---

**From:** Nick Rushizky <nrushizky.cntr@ncd.gov>  
**Date:** September 13, 2013, 5:53:35 PM EDT  
**To:** Rebecca Cokley <rcokley@ncd.gov>, Robyn Powell <RPowell@ncd.gov>  
**Subject:** Email request

I got a call this afternoon from my boss at Global Networkers, William Haygood, informing me that he'd been contacted by Sylvia. He put it as being very strictly told by Sylvia to make sure I comply with a FOIA request for emails which I apparently will be seeing next week.

I don't know the proper legal channels for how this is supposed to be handled, and I want to make sure I'm doing it properly. I'm betting that letting you know is the right start.

If there's anything else I need to do, please let me know. You can also call me whenever you need  
- 202-841-2616.

Nick

To: David Allen - WPG-C <david.allen@gsa.gov>

Cc: Lisa Brown-Gilmore - CPWA <lisa.gilmore@gsa.gov>, Rebecca Cokley <rcokley@ncd.gov>

David,

Thanks for your time. In reference to the aforementioned conversation with Sylvia Meniffee Jones, I was contacted last week by Sylvia. She was working from home, so I didn't recognize the number as it was blocked to my mobile phone. She told me that she was working from home, but wanted to make me aware of a situation. She said that we would receive a request dealing with the Freedom of Information Act. As my COTR, she wanted to discuss with me versus my onsite consultant (Nick Rushizky) according to contract. She said that she wanted me to tell Nick to follow the law and provide the information requested of him. She didn't say what or when the information would be, but wanted to remind me to remind him that we needed to follow the law and provide the requested information.

I let Nick know that very thing on Friday and that I was coming to meet with Sylvia on Monday to discuss contract performance. He was unaware of this FOIA request at that time and said of course he would follow what was asked of him.

We, as a company nor Nick, have a history of not being compliant with requests. I felt comfortable letting Sylvia know that whatever was requested would be provided -as always.

That's all the detail I have of the conversation. If you or Ms. Cokley have additional questions, concerns, or requests, we will be happy to comply. I would like to request that I be made aware of conversations that are being had directly with Nick Rushizky in reference to anything having to do with a legal matter as Nick is my employee (and has been for a long time) but he is not authorized to respond to legal inquiries on behalf of Global Networkers and the status of our contract. He, of course, can answer questions requested of him that may aid you in any way, but I would like to be aware of the context as this has the potential of being a stressful situation at his workplace.

Thanks so much for your time and consideration.

Sincerely,

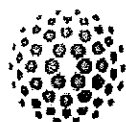
William

William Haygood, President & CEO

Global Networkers

(704) 343-0094 ext. 202

(b) (6) (mobile)



globalnetworkers.

<http://www.globalnetworkers.com>



## National Council on Disability

An independent federal agency making recommendations to the President and Congress to enhance the quality of life for all Americans with disabilities and their families.

November 1, 2013

MEMORANDUM FOR SYLVIA JONES  
DIRECTOR OF ADMINISTRATION  
NATIONAL COUNCIL ON DISABILITY

FROM: REBECCA COKLEY (b) (6)  
EXECUTIVE DIRECTOR  
NATIONAL COUNCIL ON DISABILITY

SUBJECT Notice of Proposal to Suspend

This is notice that I propose to suspend you from your position as Director of Administration, GS- 341-15, with the National Council on Disability (NCD) without pay for a period of 14 calendar days to promote the efficiency of the service. The charges and specifications for your proposed suspension are outlined below.

### **Charge1: Failure to Follow Supervisor's Instructions**

#### **Specification 1:**

On September 25, 2013, you were sent an email by Jeff Rosen, Council Chair, NCD and your second level supervisor, giving you a direct order to draft a contingency plan for the Office of Management and Budget, should there be a government wide shut down. This direct order was a result of an initial email to you from Mr. Rosen, dated September 20, 2013, with the same instructions. You emailed him back on September 25, 2013 explaining that I was responsible for preparing the plan. You did not submit the draft plan as instructed.

#### **Specification 2:**

You disagreed with the decision to replace the IT consulting service used by NCD, Development Info Structure (DEVIS). Due to your disagreement, Mr. Rosen emailed you on September 24, 2013 giving you a direct order to extend the existing service from DEVIS. In your capacity as Director of Administration, you are required to support the Council and serve as the principal advisor to me, as NCD's Executive Director. You again, failed to follow supervisory instructions.

#### **Specification 3:**



On or About September 23, 2013, you put the following on your email "Sylvia Jones Automatic reply: Thank you for your email. I'm currently in the office. However, due to end of year budget and payroll close out I am unable to respond to emails. I will respond to all emails by the close of business Wednesday, September 25, 2013. Thank you, Sylvia". You also indicated to Gary Blumenthal, Chair, Audit and Finance Committee, that you would not be accepting telephone calls during this period.

As you are aware, there were several outstanding issues with our end-of-year budget that required coordination with Mr. Blumenthal. To attempt to cut off the communication used to resolve these issues was a blatant attempt to circumvent your duties and responsibilities. On September 24, 2013, Mr. Rosen provided you with a direct order to keep these lines of communications open and to respond appropriately. Since you were not reading your emails, Mr. Rosen had to have this direct order hand delivered to you on that same date.

### **Charge 2: Delay in Carrying Out Assignments**

#### **Specification:**

You emailed Julie Carroll, Senior Policy Advisor, on August 27, 2013 stating that you would research whether she could have a telework agreement that included both regular and situational telework. You took no action to respond to her until I became involved in the issue, researched it and instructed you to move forward with processing the agreement in an email dated September 11, 2013. In failing to act timely, you caused the agency to be unable to utilize Ms. Carroll's services until the agreement was finally approved.

### **Charge 3: Misuse of Position**

#### **Specification:**

On or about September 13, 2013, you contact William Haygood, President & CEO of Global Networks, to demand that he inform Nick Rushizky, Network Consultant, that he was to comply with the demands of a Freedom of Information Act (FOIA) request he was to receive shortly. You were the initiator of that FOIA request and it involved your employment with NCD. Your contacting Mr. Haygood was a misuse of your position as Director of Administration. There are official channels for processing FOIA requests and you are not involved in the process unless requested or directed to do so by appropriate authority. You were not requested or directed to involve yourself in this matter.

#### **Discussion:**

In proposing this action, I have considered that you have approximately 24 years of Federal service, and that your performance has been at least fully successful. I have also taken into account that you have no prior discipline.